

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CORY R. RYLAND,

Plaintiff,

vs.

DIRECTOR OF FEDERAL BUREAU OF
PRISONS, et al.,

Defendants.

1:23-cv-01307-GSA-PC

**ORDER TRANSFERRING CASE TO
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
VIRGINIA**

I. BACKGROUND

Cory R. Ryland (“Plaintiff”) is a federal prisoner proceeding *pro se* with this civil rights action filed pursuant to Bivens vs. Six Unknown Agents, 403 U.S. 388 (1971). Plaintiff filed the Complaint commencing this action on September 1, 2023 at the United States District Court for the Eastern District of California, Fresno Division. (ECF No. 1.)

II. VENUE

“For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a). The federal venue statute requires that “a civil action may be brought in --

- (1) a judicial district where any defendant resides, if all defendants are residents of the State in which the district is located;

1 (2) a judicial district in which a substantial part of the events or omissions
2 giving rise to the claim occurred, or a substantial part of property that is
3 the subject of the action is situated; or

4 (3) if there is no district in which an action may otherwise be brought as
5 provided in this section, any judicial district in which any defendant is
6 subject to the court's personal jurisdiction with respect to such action. "

7 28 U.S.C. § 1391(b).

8 In this case, none of the defendants named in the Complaint reside in this district. The
9 claims arose at USP Lee in Pennington Gap, Virginia, located in Lee County, which is in the
10 Western District of Virginia. Therefore, Plaintiff's claims are properly brought in the United
11 States District Court for the Western District of Virginia.

12 **III. CONCLUSION**

13 Accordingly, **IT IS HEREBY ORDERED** that this matter is transferred to the United
14 States District Court for the Western District of Virginia.

15 IT IS SO ORDERED.

16
17 Dated: **September 7, 2023**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE